

**REMARKS**

1. This paper is responsive to the Office Action mailed April 25, 2002.

5       Reconsideration and further examination is respectfully requested.

2. In brief, the present invention is a test probe incorporating a control device.

3. Claims 1-38 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated  
10       by Cake et al. (US 5,293,122). Applicant agrees that claims 1 – 7, 13 – 19, and 25  
      – 33 were anticipated by Cake et al. and accordingly has canceled claims 1 – 7, 13  
      – 19, and 25 – 33. However, applicant must respectfully disagree with the  
      Examiner's assertion that claims 8 – 12, 20 – 24, and 34 – 38 were anticipated by  
      Cake et al.

15       4. The Examiner states that Cake et al. disclose, "a mode display (column 2 line 5 –  
      15) mechanically coupled to probe body (2) and electrically coupled to test  
      instrument visually representing a configuration of test instrument." However,  
      Cake et al. column 2, lines 2 – 15 state:

20       ...a third signal line ... is coupled to the ground line in the main body **12**  
      through the sense resistor **24** included in the compensation portion **20** and  
      is adapted to provide an indication or sense signal therefrom. The  
      measured signal, ground signal and sense signal are thereafter supplied  
25       from the compensation portion **20** to the connector **22** which is adapted to  
      mate with a corresponding connector on the oscilloscope. As a result,  
      when the connector **22** is connected to the corresponding mating connector  
      of the oscilloscope, the signals from the attenuation probe **10** are supplied  
      to the oscilloscope.

As can be seen from reading this passage in context, Cake et al. are describing a third signal line that is adapted to provide an indication. This indication is equivalent to the sense signal. Cake et al. later describe this sense signal or indication as supplying a signal from the probe to the oscilloscope. The indication  
5 in Cake et al. is not any kind of display, but a specific type of electrical signal capable of conveying information to an oscilloscope. This is completely different than an actual mode display on the probe giving the user information about the state of the test instrument. In Cake et al., the indication is from the probe to the test instrument, while in applicant's invention the mode display is configured to  
10 convey information from the test instrument to the user. For the reasons stated above, applicant believes claims 8, 20, and 34 to be in condition for allowance and respectfully requests reconsideration and allowance.

The Examiner also states that, "As to claims 9 – 12, 21 – 24, 35 – 38, Cake et al  
15 disclose the mode display is Liquid Display (scope, column 2 line 5 – 15)." As applicant has reproduced the cited portion of Cake et al. above, nowhere in this section of the Cake et al. patent can be found any description of a display, much less a liquid crystal display. While oscilloscopes may contain displays showing mode information, applicant's invention is not an oscilloscope, but rather an  
20 electrical test probe including a mode display capable of visually representing a configuration of said test instrument. Nowhere do Cake et al. disclose, teach, or suggest any mode display capable of visually representing a configuration of said test instrument. Nor do they disclose any type of liquid crystal display, light emitting diode display, an electroluminescent display, or one or more light  
25 emitting diodes. Also, since claims 9 – 12, 21 – 24, 35 – 38 are dependent on

newly independent claims 8, 20, and 34 respectively, applicant believes these claims also to be in condition for allowance and respectfully requests reconsideration and allowance.

- 5 5. For these reasons, this application is considered to be in condition for allowance and such action is earnestly solicited.

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Respectfully submitted,

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by 

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**In the claims:**

5      Claims 1 – 7, 13 – 19, and 25 – 33 have been canceled

Claims 8, 20, and 34 have been amended as follows:

1.      (amended) An electrical test probe ~~as recited in claim 1~~ further comprising:

a probe body;

a probe tip mechanically coupled to said probe body, wherein said probe tip is

10      capable of being non-permanently electrically coupled to an external test

instrument; and

a mode display mechanically coupled to said probe body and electrically

coupled to said test instrument visually representing a configuration of said

test instrument.

15      20. (amended) An electrical test probe ~~as recited in claim 13~~ further comprising:

a probe body;

a probe tip mechanically coupled to said probe body;

a control device mechanically coupled to said probe body;

a communication port mechanically coupled to said probe body, and  
electrically coupled to said control device and said probe tip, wherein said  
communication port is capable of being non-permanently electrically  
coupled to an external electrical test instrument; and

5      a mode display mechanically coupled to said probe body and electrically  
coupled to said test instrument visually representing a configuration of said  
test instrument.

34. (amended) An electrical test probe ~~as recited in claim 25~~ further comprising:

a probe body;

10      a probe tip mechanically coupled to said probe body;

a cable electrically coupled to said probe tip, mechanically coupled to said  
probe body, and non-permanently electrically and mechanically coupled to  
an external electrical test instrument;

a control device mechanically coupled to said probe body and electrically  
15      coupled to said cable, wherein said control device, when activated,  
activates a function of said test instrument; and

a mode display mechanically coupled to said probe body and electrically  
coupled to said test instrument visually representing a configuration of said  
test instrument.

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